

**Notice of Allowability**

Application No.

10/565,928

Applicant(s)

BOYLE, KEVIN R.

Examiner

Art Unit

Dieu Hien T. Duong

2821

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/01/2010.
2. ☒ The allowed claim(s) is/are 1-4,6-11,14 and 16-24.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>10/16/09</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>07/01/2010</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                     | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|  | 9. <input type="checkbox"/> Other _____.   |

/Douglas W Owens/  
Supervisory Patent Examiner, Art Unit 2821

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 07/01/2010 has been entered.

### ***Information Disclosure Statement***

2. The information disclosure statement(s) (IDS) submitted on 07/01/2010 in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is considered by the examiner.

### ***Interview Summary***

3. Examiner contacted applicant's representative, Ira S. Matsil (Registration No. 35,272), on October 16, 2009 for discussing about a proposed amendment. Examiner suggested applicant's representative to change the term "rf" to "RF" of specification and claims 1, 3, 9 and 17. Applicant's representative agreed to authorize examiner to change the term "rf" to "RF" of specification and claims 1, 3, 9 and 17 in Examiner's amendment.

## **EXAMINER'S AMENDMENT**

Art Unit: 2821

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ira S. Matsil (Registration No. 35,272), on October 16, 2009.

The application has been amended as follows:

a) Specification:

Page 1, line 18, change "rf" to - -RF- -.

Page 2, lines 17, 19, 24, 26, 30, 31, change "rf" to - -RF- -.

Page 3, lines 1 and 25, change "rf" to - -RF- -.

Page 4, lines 17 and 32, change "rf" to - -RF- -.

Page 5, lines 2 and 8, change "rf" to - -RF- -.

b) Claims:

Claim 1, lines 3 and 6, change "rf" to - -RF- -.

Claim 3, lines 4 and 8, change "rf" to - -RF- -.

Claim 9, lines 2 and 6, change "rf" to - -RF- -.

Claim 17, lines 2 and 4, change "rf" to - -RF- -.

***Allowable Subject Matter***

5. Claims 1-4, 6-11, 14 and 16-24 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Art Unit: 2821

Prior art fails to disclose a planar antenna assembly for use in two different frequency bands, the planar antenna assembly comprising a feed for coupling the patch antenna to the RF circuitry, the feed comprising components that are physically attached to a main surface of the patch antenna, the components for reactively tuning the patch antenna by tuning a first frequency inductively and a second frequency capacitively, the first frequency being lower than the second frequency, wherein the components comprise an inductive element and a capacitive element electrically connected to the patch antenna at two different points, the inductive element being electrically connected between the two points and the capacitive element being electrically connected between the two points in parallel with the inductive element, in combination with the remaining claimed limitations as in claims 1, 3, 9 and 17 (claims 2, 4-8, 10-16 and 18-24 are allowed since they are dependent on claims 1, 3, 9 and 17).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Inquiry***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dieu Hien T. Duong whose telephone number is 571-272-8980. The examiner can normally be reached on Monday - Friday, from 8:30AM-5:00PM.

Art Unit: 2821

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas W. Owens can be reached on 571-272-1662. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

07/09/10

DD

/Douglas W Owens/  
Supervisory Patent Examiner, Art Unit 2821  
7/17/2010